COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

A Tradition of Service

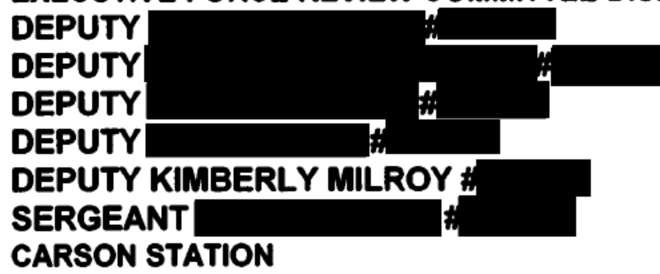
DATE: August 14, 2008

OFFICE CORRESPONDENCE FILE NO. FO2209244

FROM: ERIC B. SMITH, COMMANDER
LEADERSHIP AND TRAINING DIVISION

TO: KARYN MANNIS, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE DISPOSITION:**



DEPUTY [redacted] #[redacted]
DEPUTY [redacted] #[redacted]
DEPUTY [redacted] #[redacted]
DEPUTY [redacted] #[redacted]
DEPUTY KIMBERLY MILROY #[redacted]
SERGEANT [redacted] #[redacted]
CARSON STATION

On November 13, 2007 at approximately 1146 hours, Deputy Kimberly Milroy responded to a burglary in progress call. As Deputy Milroy approached the location, she saw two male blacks riding bicycles matching the description of the suspects in the call (later identified as Suspects Moore and Wills). She approached them in her car and ordered them to stop. Suspect Moore and Suspect Wills refused to comply, and rode their bicycles around her patrol vehicle. Both Suspect Moore and Suspect Wills rode their bicycles to a nearby residence and sat on their bikes in front of the curb. Deputy Milroy parked her patrol car and approached both suspects on foot, then Suspect Moore rode his bike away from her, while Suspect Wills remained.

Deputies [redacted] and [redacted] contacted Suspect Moore sitting on his bike in front of a different residence nearby. Suspect Moore then became argumentative and shouted, "Get the fuck away from me, I don't like you guys!" When the deputies tried to contact him to search him, Suspect Moore pulled away and swung his fists at them. Deputy [redacted] deployed a burst of OC spray at Suspect Moore's face, which took effect. Suspect Moore was then handcuffed and detained without further incident.

Deputies [redacted] [redacted] [redacted] and [redacted] then approached Suspect Wills. Suspect Wills immediately began to fight with Deputy [redacted] and placed him in a headlock. Suspect Wills also kicked at the other deputies as he was ordered to stop fighting.

Deputy [redacted] grabbed Suspect Wills' left arm and did a leg sweep which resulted in a take down. Once on the ground, Suspect Wills began to swing his fists and kick at

all three deputies. Sergeant [redacted] applied a drive stun TASER deployment to Suspect Wills' leg, which stopped his assault. Deputy [redacted] and Deputy [redacted] handcuffed him without further incident.

Both suspects were transported to Little Company of Mary Hospital for medical treatment. Suspect Moore was examined regarding OC spray exposure and Suspect Wills sustained a fracture to his right scapula. Both suspects were medically treated and cleared for booking.

On August 14, 2008 the Executive Force Review Committee convened and conducted a review regarding the facts of this case. The applicable policies that were evaluated by the committee were: MMP §§ 3-01/025.00, Use of Force; 3-01/025.10, Unreasonable Force; and 3-01/050.10, Performance to Standards.

Concerning:

MMP § 3-01/025.00, Use of Force, and MMP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputy [redacted] #[redacted] was reasonable and necessary and in compliance with Department policy.

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MMP § 3-01/025.00, Use of Force, and MMP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputy [redacted] #[redacted] was reasonable and necessary and in compliance with Department policy.

MMP § 3-01/025.00, Use of Force, and MMP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputy Kimberly Milroy #[redacted] was reasonable and necessary and in compliance with Department policy.

MMP § 3-01/025.00, Use of Force, and MMP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Sergeant [redacted] #[redacted] was reasonable and necessary and in compliance with Department policy.

MMP § 3-01/050.10, Performance to Standards, the Committee determined that the tactics employed by all personnel in this incident were within Department Policy.

CONTENTS E B SMITH NOTED 9/4/08

Eric B. Smith, Commander

EBS:MOT:mt

FO2209244

Table of Contents

Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 407-15742-1610-064	Date: 11/13/07	Time: 1146 hrs	
Location: [redacted] East Claude Street		City or Station: Carson	
Bureau/Station/Facility: F.O.R. II / Carson		Admin. Investigation: YES [ ] NO [X]	
Type of Force: OC Spray / Personal Weapons / Leg Sweep / Take Down / Taser			
Deputy Injury: YES [X] NO [ ]	Suspect Injury: YES [X] NO [ ]		
[X] Call	[ ] Observation	[ ] Detail	[ ] Foot Pursuit [ ] Vehicle Pursuit
IAB Notified: YES [X] NO [ ]	Person Notified: Lt. Slawson	Emp: [redacted]	IAB Roll Out: YES [X] NO [ ]

Involved Employee

E1

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	Middle Name [redacted]
Sex: [X] Male [ ] Female	Race: H	Unit of Assignment: [redacted]	Work Assignment (Unit #, Module, etc.): [redacted]
Shift: [ ] EM [redacted] Day [ ] PM	[redacted] Regular Shift [ ] OT Shift [ ] Off Duty	Age: [redacted]	Height: 5'08 / Weight: 200
[X] Injured [X] Treated [ ] Admitted	Hospital: Harbor General Hospital, Torrance	Coroner Case #	Directed Force [ ] Significant Force [X]

E2

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	Middle Name [redacted]
Sex: [X] Male [ ] Female	Race: H	Unit of Assignment: [redacted]	Work Assignment (Unit #, Module, etc.): [redacted]
Shift: [ ] EM [redacted] Day [ ] PM	[redacted] Regular Shift [ ] OT Shift [ ] Off Duty	Age: [redacted]	Height: 5'09 / Weight: 190
[X] Injured [X] Treated [ ] Admitted	Hospital: Harbor General Hospital, Torrance	Coroner Case #	Directed Force [ ] Significant Force [X]

E3

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	Middle Name [redacted]
Sex: [ ] Male [X] Female	Race: H	Unit of Assignment: [redacted]	Work Assignment (Unit #, Module, etc.): [redacted]
Shift: [ ] EM [redacted] Day [ ] PM	[redacted] Regular Shift [ ] OT Shift [ ] Off Duty	Age: [redacted]	Height: 5'05 / Weight: 120
[ ] Injured [ ] Treated [ ] Admitted	Hospital:	Coroner Case #	Directed Force [ ] Significant Force [ ]

[ ] **Additional Involved Employees**

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	YES [X] NO [ ]	YES [X] NO [ ]
					YES [ ] NO [ ]	YES [ ] NO [ ]

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Johnson	Dale	R.

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Rivero	Eddie	NMN

Don M. Slawson (signature) [redacted] 4/22/08

Watch Commander (**Print Name**) | Watch Commander's **Signature**: | Emp #: | Date

Supervisor Completing Form: (**Print Name**) | Emp #: | Copy Provided to Employee by: | Emp #:

Unit Commander (**Print Name**) | Unit Commander's **Signature**: | Emp #: | Date

DISCOVERY Use Only

FO#

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 12/07)

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE - Continuation
407-15742-1610-064

Involved Employee

E 4

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]

Sex: ☒ Male ☐ Female | Race: H | Unit of Assignment: [redacted] | Work Assignment (Unit #, Module, etc.): [redacted]

Shift: ☐ EM [redacted] Day ☐ PM | [redacted] Regular Shift ☐ OT Shift ☐ Off Duty | Age: [redacted] | Height: 5'06 | Weight: 160

☐ Injured ☐ Treated ☐ Admitted Hospital: ______ | Coroner Case #: | Directed Force ☐ Significant Force ☐

E 5

Employee #	Last Name	First Name	Middle Name
[redacted]	Milroy	Kimberly	D.

Sex: ☒ Male ☐ Female | Race: B | Unit of Assignment: Carson | Work Assignment (Unit #, Module, etc.): 166A

Shift: ☐ EM ☒ Day ☐ PM | ☒ Regular Shift ☐ OT Shift ☐ Off Duty | Age: [redacted] | Height: 5'10 | Weight: 130

☐ Injured ☐ Treated ☐ Admitted Hospital: ______ | Coroner Case #: | Directed Force ☐ Significant Force ☐

E 6

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]

Sex: ☒ Male ☐ Female | Race: W | Unit of Assignment: [redacted] | Work Assignment (Unit #, Module, etc.): [redacted]

Shift: ☐ EM [redacted] Day ☐ PM | [redacted] Regular Shift ☐ OT Shift ☐ Off Duty | Age: [redacted] | Height: 5'07 | Weight: 180

☐ Injured ☐ Treated ☐ Admitted Hospital: ______ | Coroner Case #: | Directed Force ☐ Significant Force ☒

E_

Employee #	Last Name	First Name	Middle Name

Sex: ☐ Male ☐ Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: ☐ EM ☐ Day ☐ PM | ☐ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

☐ Injured ☐ Treated ☐ Admitted Hospital: ______ | Coroner Case #: | Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex: ☐ Male ☐ Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: ☐ EM ☐ Day ☐ PM | ☐ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

☐ Injured ☐ Treated ☐ Admitted Hospital: ______ | Coroner Case #: | Directed Force ☐ Significant Force ☐

Supervisor's Report on Use of Force
SUSPECT INFORMATION
407-15742-1610-064

Suspect Information

S 1

Last Name: Moore | First Name: Farris | Middle Name: Lee

AKA Last Name: | First Name: | Middle Name:

Sex: [X] Male [ ] Female | Race: B | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: [redacted] | Home Phone: [redacted] | Age: 24 | Height: 5'09 | D.O.B. 12/08/83 | Weight: 195 | Armed? [ ]

Booking #: 1056808 | Primary Charge Code: 243 (c)(1) PC | Secondary Charge Code: | Criminal History [redacted]

EMT in attendance? [X] YES [ ] NO | Name: L.A. County Fire Paramedic | Unit: Carson | Phone #:

Hospital Admission? [ ] | Rec'd Treatment At: Little Company of Mary Hospital | Coroner Case #: | Mental History [ ]

By Doctor: Dr. Robert Chavez | Address: 4101 Torrance Blvd., Torrance, CA 90503 | Phone #: 310-540-7676

Under Influence: [ ] YES [X] NO | Substance: | Mental Illness [ ]

Suspect Interview

Date: 11/13/07 | Time: 1159 hrs | Audiotape: [X] | Videotape: [ ] | Photos of Injuries: [X]

Suspect Information

S 2

Last Name: Wills | First Name: DeAnthony | Middle Name: NMN

AKA Last Name: | First Name: | Middle Name:

Sex: [X] Male [ ] Female | Race: B | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: [redacted] | Home Phone: [redacted] | Age: 19 | Height: 6'01 | D.O.B. 12/12/08 | Weight: 150 | Armed? [ ]

Booking #: 1056864 | Primary Charge Code: 243 (c)(1) PC | Secondary Charge Code: | Criminal History [redacted]

EMT in attendance? [X] YES [ ] NO | Name: L.A. County Paramedic | Unit: Carson | Phone #:

Hospital Admission? [ ] | Rec'd Treatment At: Little Company of Mary | Coroner Case #: | Mental History [ ]

By Doctor: Dr. Robert Chavez | Address: 4101 Torrance Blvd., Torrance, CA 90503 | Phone #: 310-540-7676

Under Influence: [ ] YES [X] NO | Substance: | Mental Illness: [ ]

Suspect Interview

Date: 11/13/07 | Time: 1120 hrs | Audiotape: [X] | Videotape: [ ] | Photos of Injuries: [X]

Suspect Information

S _

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: [ ] Male [ ] Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? [ ]

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History [ ]

EMT in attendance? [ ] YES [ ] NO | Name: | Unit: | Phone #:

Hospital Admission? [ ] | Rec'd Treatment At: | Coroner Case #: | Mental History [ ]

By Doctor: | Address: | Phone #:

Under Influence: [ ] YES [ ] NO | Substance: | Mental Illness [ ]

Suspect Interview

Date: | Time: | Audiotape: [ ] | Videotape: [ ] | Photos of Injuries: [ ]

[ ] Additional Suspects Involved

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION
4 0 7 - 1 5 7 4 2 - 1 6 1 0 - 0 6 4

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	37	[redacted]
Street Address	**City**	**Zip Code**	**Work Ph.**	**Home Ph.**
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
Last Name	**First Name**	**Middle Name**	**Age**	**D.O.B.**
[redacted]	[redacted]	[redacted]	33	[redacted]
Street Address	**City**	**Zip Code**	**Work Ph.**	**Home Ph.**
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
Last Name	**First Name**	**Middle Name**	**Age**	**D.O.B.**
[redacted]	[redacted]	[redacted]	54	[redacted]
Street Address	**City**	**Zip Code**	**Work Ph.**	**Home Ph.**
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
Last Name	**First Name**	**Middle Name**	**Age**	**D.O.B.**
[redacted]	[redacted]	[redacted]	44	[redacted]
Street Address	**City**	**Zip Code**	**Work Ph.**	**Home Ph.**
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
Last Name	**First Name**	**Middle Name**	**Age**	**D.O.B.**
[redacted]	[redacted]	[redacted]	20	01-27-86
Street Address	**City**	**Zip Code**	**Work Ph.**	**Home Ph.**
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
Last Name	**First Name**	**Middle Name**	**Age**	**D.O.B.**
[redacted]	[redacted]	[redacted]	57	[redacted]
Street Address	**City**	**Zip Code**	**Work Ph.**	**Home Ph.**
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
Last Name	**First Name**	**Middle Name**	**Age**	**D.O.B.**
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph.**
Last Name	**First Name**	**Middle Name**	**Age**	**D.O.B.**
Street Address	**City**	**Zip Code**	**Work Ph.**	**Home Ph.**
Last Name	**First Name**	**Middle Name**	**Age**	**D.O.B.**
Street Address	**City**	**Zip Code**	**Work Ph.**	**Home Ph.**

☐ **Additional Witness**

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Moore	S#1	[redacted]	E#1	BF	NN	FA
				RS	NN	NN
				UC	NN	NN
		[redacted]	E#3	RS	NN	NN
				UC	NN	NN
				CT	NN	NN
		Milroy	E#5	RS	NN	NN
				CT	NN	NN
Wills	S#2	[redacted]	E#2	RS	NN	NN
				UC	NN	NN
				PH	NN	FA
		[redacted]	E#4	RS	NN	NN
				CT	NN	NN
		[redacted]	E#3	RS	NN	NN
				UC	NN	NN
		[redacted]	E#1	RS	NN	NN
				UC	NN	NN
[redacted]	E#1	Moore	S#1	CT	NN	AR
				OC	NN	FA
[redacted]	E#3			CT	NN	AR
Milroy	E#5			CT	NN	AR
[redacted]	E#1	Wills		PS/TD	NN	NN
[redacted]	E#2			CT	NN	NN
[redacted]	E#3			CT	NN	NN
[redacted]	E#6			TR	NN	LE

Supervisor's Report on Use of Force
407-15742-1610-084

Force Applied

CONTROL HOLD / OC SPRAY / PERSONAL WEAPON / LEG SWEEP / TAKE DOWN / TASER / SUSPECT INJURY / DEPUTY INJURY

Incident Details

On November 13, 2007, at approximately 1146 hours, Carson Station deputies were involved in a use of force, in the city of Carson. The use of force resulted in Suspect Wills sustaining a fractured scapula.

While working Carson Station unit 166A, Days, Deputy Milroy (assisting unt) received a radio call regarding a burglary in progress at [redacted] East Claude Street, in the city of Carson. Further information regarding the call provided suspect descriptions of the two burglars. Deputy Milroy along with Deputies [redacted] and [redacted] working unit [redacted] along with Deputies [redacted] and [redacted] (handling unit) , working [redacted] responded to the call. Sergeant [redacted] also responded.

As Deputy Milroy neared the location she saw two male blacks who generally fit the description of the suspects (later identified as Suspect Moore and Wills). She, along with the other deputies detained the two pending further investigation. Deputy [redacted] initially contacted Suspect Moore who was uncooperative and refused to be detained and pulled away from the deputies while swinging his fists at them. Based on his refusal to be searched and detained, Deputy [redacted] sprayed Suspect Moore with OC spray. Suspect Moore was then handcuffed and detained in the rear of a patrol car without further incident.

The deputies then turned their attention to Suspect Wills, who was standing in the yard of [redacted] East Claude Avenue. Deputies [redacted] and [redacted] tried to detain Suspect Wills, but he also began to back away from the deputies resisting their efforts. Deputy [redacted] then grabbed Suspect Wills, while Deputy [redacted] executed a leg sweep taking resulting in all three falling to the ground. Once on the ground Suspect Wills began to swing his fists and kick at the deputies. Sergeant [redacted] who had recently arrived at the scene removed his taser, took out the cartridges, and contact tased Suspect Wills who then stopped his assault. Deputies [redacted] then placed her knee on Suspect Wills' back and she and Deputy [redacted] then applied handcuffs.

Both suspects were transported to Little Company of Mary Hospital for treatment. Suspect Moore was examined due to complaint of pain to his right hand as he was wearing a soft cast at the time of his arrest. Suspect Wills complained of pain to his back and upon examination it was determined he had sustained a fracture to his right shoulder scapula. Both Suspects Moore and Wills were cleared for booking.

Deputies [redacted] and [redacted] were examined at Harbor General Hospital. Deputy [redacted] sustained a bruise to his right elbow and Deputy [redacted] sustained a knee injury.

Suspects Moore and Wills were subsequently taken into custody and charged with 243(e)(1) PC.

S/Moore and S/Wills were medically treated at the scene by Los Angeles County Fire/Paramedics (Carson), and transported to Little Company of Mary Hospital in Torrance, CA. for further observation.

Internal Affairs Investigators responded and interviewed Suspects Moore and Wills at Carson Sheriff's Station.

Reported Use of Force by Involved Employee(s)

Deputies [redacted] and Milroy all completed a written report of their observations and actions, which is consistent with their verbal notification to Sergeant [redacted] of their respective use of force. In addition, Sergeant [redacted] wrote a supplementary report documenting his use of force regarding deployment of the taser.

The following force was reported:
Deputy [redacted] Control Hold, OC Spray, Take Down, and Leg Sweep.
Deputy [redacted] Control Hold
Deputy [redacted] Control Hold
Deputy [redacted] Control Hold

Witness Interview(s)

Witness [redacted] Statement:
W/[redacted] stated she saw S/Moore and S/Wills being detained by a lady police officer near McKinley Ave and Alondra Blvd, Carson. Both suspects then got on their bicycles and drove toward Claude Street, where they were again detained by additional deputy personnel. W/[redacted] said she saw S/Moore and the police get into a heated argument as S/Moore was slammed up against a black truck with his hands behind his back. W/[redacted] said a police officer had S/Moore's chest secured up against the truck as he reached behind and retrieved his mace spraying him all over the face.

W/[redacted] said S/Moore was arguing with the police, however, did not see him spit at deputy personnel. She added S/Moore was not handcuffed prior to the application of OC spray.

W/[redacted] said she saw three police officers speaking to S/Wills who was sitting on a bicycle. She did not hear any argument from the incident, however, saw the police officers jump on S/Wills and push him into the dirt. She believes S/Wills may have been resisting arrest. She did not hear what was going on between S/Wills and the police officers, stating they just smashed him off the bicycle and put him in the dirt.

W/[redacted] stated S/Will did not use any excessive force before he was pulled off the bike. He was then handcuffed and placed into the patrol car.

Witness [redacted] Statement:
W/[redacted] said as she arrived at her [redacted] house (W/[redacted]) she saw two boys riding their bicycles toward Claude Street. She saw a Sheriff's lady attempting to speak to them appearing to be engaged in an argument with them. The boys continued riding their bicycles away from her toward Claude Street, where they were soon detained by other deputies.

W/[redacted] said a Hispanic deputy grabbed one of the boys (S/Moore) and threw him up against a car. Something was said between the two of them as the deputy pepper sprayed him in the face. She said the boy did not resist arrest. She stated she called the Watch Commander of Carson Station advising him of the incident.

W/[redacted] said she did not witness S/Moore spit at the deputy. She added he was yelling something about his arm or hand which was in a cast. She did not see him pulling away or attempting to run away from the police.

W/[redacted] said she recalled the second boy, S/Wills being grabbed by three deputies and slammed to the ground. She could not remember anything else from the incident.

Witness [redacted] Statement:

W/[redacted] said she was [redacted] the street at [redacted] when the incident occurred between deputy personnel and the suspects. She said officers appeared to be speaking to a gentleman (S/Wills) when he started pushing and waving his hands at them. W/[redacted] said whatever happened, S/Will started it and it appeared deputy personnel reacted to S/Will's actions.

W/[redacted] said it looked like S/Wills started pushing his way through the deputies and appeared to be resisting detention. At that point, deputy personnel grabbed S/Wills as he became wilder and wilder. She said S/Wills was fighting with the deputies and believes one of them hurt his knee.

W/[redacted] said she did not see S/Moore being sprayed with OC spray.

Witness [redacted] Statement:

[redacted] said she did not witness the incident. She said she was not home during the incident involving S/Moore and S/Wills on November 13, 2007. She said the Sheriff's Department have been at the location which is [redacted] to her home at least a couple of times in the past regarding an individual named, "D." She described "D" as "late teens, maybe twenty, nineteen, twenty, somewhere around there, caramel colored, bald head, maybe about five-six, five-six, five-seven, weighing a hundred and sixty, yeah, hundred and sixty, hundred sixty-five pounds."

[redacted] concluded by stating the Sheriff's Department have been to the location numerous times regarding on-going matters at the residence.

Witness [redacted] Statement:

[redacted] said he was not home during the date of the incident. His friend [redacted] said he might have been home that day, but was not sure.

Witness [redacted] Statement:

[redacted] told Sergeant [redacted] he saw deputy personnel making contact with his [redacted] friend, S/Moore, who was not cooperating and being verbally abusive toward them. [redacted] said deputies told S/Moore several times to cooperate, however, he would not listen to their commands. S/Moore eventually got off the bike when he was grabbed by a deputy and a struggle ensued. S/Moore was then pushed up against a parked car then escorted into the radio car. [redacted] said he did not see S/Moore being pepper sprayed. He also did not see deputy personnel punch, kick, hit or use any other force against S/Moore. [redacted] said he believed the deputies actions were justified against S/Moore.

[redacted] told Sergeant [redacted] when he saw deputies approaching his [redacted] S/Wills, he told him to cooperate by doing everything he was told to do and everything would be okay. [redacted] said he heard deputies asking S/Moore several times to place his hands behind his back, however, he refused. He said he saw a deputy grab S/Wills' arm as he tried to pull away. [redacted] said the next thing he recalled was S/Wills and two deputies falling to the ground. He said S/Wills was moving around on the ground, kicking and being uncooperative. [redacted] said he saw Sergeant [redacted] deploy a contact taser shot against S/Wills stating he believed the taser shot was unnecessary as there were enough deputies present to control his behavior. He said no additional force was used.

Suspect Interview(s)

Suspect Interview(s) Conducted by: Internal Affairs Bureau Sergeants

Suspect's Moore and Wills were both interviewed by Internal Affairs Sergeants Quichocho and Landreth at Carson Sheriff's Station Jail.

S/Moore's statement's:

S/Moore said he and S/Wills were riding their bikes when they were stopped by Deputy Milroy and asked to step over to her patrol car. He said he didn't do anything, therefore, refused her order and continued riding away from her. S/Moore said he was not a criminal, and had no gun and no felonies so he ignored her order and rode with S/Wills to his home at [redacted] S/Moore added since he did nothing wrong he had every right to keep his mouth shut.

As he was sitting on his bike a few houses away from S/Wills' home, S/Moore said he was approached by a male and female deputy, who told him to get off his bike. S/Moore said he told the officer he did not do anything and if he was touched he would call his lawyer. The deputy then pulled his gun and told S/Moore if

he did not get off the bike he was going to be shot. S/Moore said he complied and got off the bike, however, continued telling deputy personnel he did not have to speak to them and not to touch him. He said he began to turn around and walk away from them stating he had a broken thumb and they could not do anything.

S/Moore said the male deputy got real mad and pulled his gun out stating he was going to pump two slugs into him. S/Moore stated he became aggravated and stressed out because something was happening to him that should not have ever happened. He added he was mad and had words to say to the deputies. S/Moore said he verbally told deputies, "Fuck you, this is fucking wrong you ain't supposed to be doing this shit!" At this time, S/Moore said the deputy put away his gun and retrieved the mace. He said his hands were behind his back as he was up against a Range Rover.

S/Moore said he began to cuss as his arm was being held behind his back telling the deputy with the mustache his thumb was broken. He said he turned his face away as the mace was being sprayed all over his head. S/Moore said his head was sprayed because he was smart enough to quickly turn around when he saw the mace coming out. After he was maced, S/Moore said he was handcuffed and placed into the patrol car. He said he was not resisting arrest. He believes he was maced because he was verbally "just talking shit to them."

S/Moore said while seated in the patrol car, he complained of pain to his leg, back and hip from a prior injury. He also told deputies the handcuffs were too tight. When Fire Department personnel arrived, his handcuffs were loosened and extended. S/Moore said he was transported to the hospital and seen by a doctor.

S/Wills statements:

S/Wills said he was speaking to his [redacted] ([redacted] MB/[redacted]) when he saw deputies huddle up and come toward him. As he stepped back into the yard with his [redacted] he was grabbed by one of the officers back over the brick wall. S/Wills said his left and right arms were grabbed by deputy personnel as he began asking why he was being detained.

S/Wills said his legs were kicked out from under him as he fell onto his face stating that is how he received a scratch on his face. He said he fell hard on his arm as he hit the ground stating both of his arms were secured by deputies from beginning to end. S/Wills said one of the officers tased him in the back of the leg. After the tasing, the officers completely stopped their actions.

Medical Review

S/Moore complained of pain to his right hand which was bound in a cast. Medical evaluation indicates a preexisting right thumb splint. He was treated by Dr. Robert Chavez and discharged from the hospital.

S/Wills sustained an abrasion to his right facial orbital area and a right shoulder non-displaced scapular fracture. He was treated by Dr. Robert Chavez at Little Company of Mary Hospital, Torrance, and CA. and discharged from the hospital.

Training & Tactical Review

Training and Tactical Review to be presented at the Executive Force Review Committee at a pending date and time.

Watch Commander's Review

Training and Tactical Review to be presented at the Executive Force Review Committee at a pending date and time.

Case Status

The facts of this case were presented to the District Attorney's Office at Compton Superior Court for filing consideration as indicated:

DeAnthony Wills: (1) Felony count of 69 P.C., and (1) Misdemeanor count of 261.5 P.C.
Farris Moore: (2) Felony counts of 69 P.C.

It should be noted that during follow-up investigation, S/Wills was additionally charged with Unlawful Sexual Intercourse with a Minor, 261.5 P.C, against [redacted] FB/16. S/Wills was in the victim's house during the alleged burglary. S/Wills said the victim is his [redacted]

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

SIGNIFICANT FORCE INCIDENT EVALUATION

UNIT: Carson Sheriff's Station
DATE: November 13, 2007, Tuesday
TIME: 1146 hours
LOCATION: [redacted] East Claude Street, Carson, CA
URN#: 407-15742-1611-064
IAB#: FO2209244

NATURE OF INCIDENT: On November, 13, 2007, at approximately 1146 hours, Carson Sheriff's Station Deputy Kimberly Milroy, Employee #[redacted], assigned to patrol unit 166A, responded to a call for service regarding a burglary in progress at [redacted] East Claude Street, in the city of Carson. Further information regarding the call provided suspect descriptions of the two burglars and their direction of travel. As one of the closest assisting units, Deputy Milroy was the first one to arrive at the location. The handling unit, Deputies [redacted] Employee #[redacted] and [redacted] Employee #[redacted] assigned as patrol unit [redacted] coordinated the call with other assisting units, which were Deputies [redacted] Employee #[redacted] and [redacted] Employee #[redacted], assigned as patrol unit [redacted] along with Field Sergeant [redacted] Employee #[redacted] assigned as patrol unit [redacted]

> **<u>IAB Note:</u>** For further details see Exhibit D for a copy of Incident History Report under CAS07317-0107 (Tag #107).

As Deputy Milroy approached the location, she saw two male blacks riding bicycles matching the description of the suspects (later identified as Suspects Moore and Wills) indicated on the call coupled with the last seen direction. Her initial contact with both S/Moore and S/Wills were futile as they refused to stop riding their bicycles when she ordered them to stop and come toward her. S/Moore and S/Wills rode their bicycles around her patrol vehicle headed toward Claude Street when Deputy Milroy cut them off and exited her patrol car to confront them. She told S/Moore to stop and he refused to obey her commands by continuing to ride his bicycle westbound on Claude Street.

S/Moore and S/Wills rode their bicycles to [redacted] East Claude Street where they both sat on their bikes in front of the curb/driveway of the residence as Deputy Milroy parked her patrol car and approached both suspects on foot. S/Moore rode his bike away from her, as S/Wills remained stating he was willing to talk to her while standing in the front yard of the residence.

At this time, Deputies [redacted] and [redacted] contacted S/Moore sitting on his bike in front of [redacted] East Claude Street. Deputy [redacted] said S/Moore became argumentative by shouting, "Get the fuck away from me, I don't like you guys!" He described S/Moore's body as tense and rigid. S/Moore became increasingly uncooperative by refusing to be detained and searched as he pulled away and swung his fists at deputy personnel. Deputies [redacted] and [redacted] attempted to apply control holds in order to restrain and handcuff him, however, were met with negative results. Deputy [redacted] then applied a burst of OC spray at S/Moore's facial area. The OC spray took effect and S/Moore was subsequently handcuffed and detained in the rear seat of a patrol car without further incident.

Deputy personnel turned their attention toward S/Wills, who was standing in the front yard of [redacted] East Claude Street. Deputies [redacted] and [redacted] approached S/Wills, who began to back away resisting their efforts to detain him. S/Wills immediately began to fight with Deputy [redacted] by placing him in a headlock. S/Wills was also kicking at the other deputies as he was ordered to stop fighting.

Deputy [redacted] assisted Deputy [redacted] by grabbing S/Wills' left arm as he executed a leg sweep resulting in a take down as all three fell to the ground. Once on the ground, S/Wills began to swing his fists and kick at all three deputies. Sergeant [redacted] assisted deputy personnel by removing his taser cartridges and applying a contact taser shot to S/Wills' leg which stopped his assault. Deputy [redacted] placed her knee on S/Wills' back as she and Deputy [redacted] handcuffed him without further incident.

Both suspects were transported to Little Company of Mary Hospital in Torrance, CA, for medical treatment. S/Moore was examined due to the application of OC spray and a preexisting bone fracture to his right thumb as he was wearing a soft cast at the time of his arrest. S/Wills complained of pain to his back and upon examination it was determined he sustained a fracture to his right scapula. Both suspects were medically treated and cleared for booking by Dr. Robert Chavez.

IAB Note: For further details on S/Moore's and Wills' injuries refer to Exhibit F for a copy of their medical release information.

Deputies [redacted] and [redacted] were examined at Harbor General Hospital for injuries resulting from the incident. Deputy [redacted] complained of pain to his left elbow. Deputy [redacted] complained of pain to both knees.

Deputy [redacted] reported utilizing control holds and OC spray to S/Moore and employing a leg sweep and take down to S/Wills.

Deputy [redacted] reported utilizing control holds to both S/Moore and S/Wills.

Deputy [redacted] reported utilizing control holds to S/Wills.
Deputy Milroy reported utilizing control holds to S/Moore.

Sergeant [redacted] reported utilizing a contact taser to S/Wills.

> **IAB Note:** For further details refer to Exhibit A for a copy of deputy personnel's supplementary report on their respective use of force.

Both S/Moore and S/Wills were arrested for Battery on a Peace Officer, 2439(c)(1) P.C. and Resist/Obstruct a Peace Officer, 148(a)(1) P.C.

S/Moore and S/Wills both spoke to Internal Affairs investigators at Carson Sheriff's Station Jail on the day of the incident.

> **IAB Note:** Refer to suspect statements.

Internal Affairs Bureau Lieutenant Don Slawson was notified and Sergeants Frank Quichocho and Larry Landreth responded to Carson Sheriff's Station to conduct an administrative review of the incident. The following review is based on written documentation, interviews of witnesses and involved deputies, and medical documentation.

The case was subsequently presented to the District Attorney's Office at Compton Superior Court for criminal filing by Carson Station Detective Belen Wilkins, Employee #[redacted] on 11-16-07. S/Wills was issued a felony complaint with a charge of 69 P.C. and a misdemeanor complaint of 261.5 (b) P.C. S/Moore was issued two felony complaints with charges of 69 P.C. under Case Number TA093904 by Deputy District Attorney Simone Shay.

> **IAB Note:** This administrative investigation is to be cross referenced with Carson Sheriff's Station Watch Commander Service Comment Report (WCSCR) #204370.

INVOLVED PERSONNEL:

[redacted] - Deputy Sheriff, Employee #[redacted]

Field Operations Region II

EMPLOYEE WORK HISTORY:

Date of Employment: 09-30-1996

Date Assigned to Patrol: [redacted]
Completed Patrol Training:
Prior Shooting Incident(s): (1) 03-31-2004: Armed Suspect;
(1) 06-05-2006: Fleeing Suspect; Foot pursuit
Prior Founded Force Incidents: [redacted]

[redacted] - Deputy Sheriff, Employee #[redacted]
Carson Sheriff's Station
Field Operations Region II

EMPLOYEE WORK HISTORY:

Date of Employment: 01-19-1994
Date Assigned to Patrol: [redacted]
Completed Patrol Training:
Prior Shooting Incident(s): (1) 03-31-2004: Armed Suspect
Prior Founded Force Incidents: [redacted]

[redacted] - Deputy Sheriff, Employee #[redacted]
Carson Sheriff's Station
Field Operations Region II

EMPLOYEE WORK HISTORY:

Date of Employment: 07-17-2001
Date Assigned to Patrol: [redacted]
Completed Patrol Training:
Prior Shooting Incident(s):
Prior Founded Force Incidents:



[redacted] - Deputy Sheriff, Employee #[redacted]
Carson Sheriff's Station
Field Operations Region II

EMPLOYEE WORK HISTORY:

Date of Employment: 01-07-1998
Date Assigned to Patrol: [redacted]
Completed Patrol Training:
Prior Shooting Incident(s):
Prior Founded Force Incidents: (1) Written Reprimand: Unreasonable Use of Force: 02-18-2004.

Milroy, Kimberly D. - Deputy Sheriff, Employee #[redacted]
Carson Sheriff's Station
Field Operations Region II

EMPLOYEE WORK HISTORY:

Date of Employment:	05-04-1999
Date Assigned to Patrol:	[redacted]
Completed Patrol Training:	
Prior Shooting Incident(s):	
Prior Founded Force Incidents:	

[redacted]- Sergeant, Employee #[redacted]
Carson Sheriff's Station
Field Operations Region II

EMPLOYEE WORK HISTORY:

Date of Employment:	03-05-1991
Date Assigned to Patrol (Sgt)	[redacted]
Completed Patrol Training:	
Prior Shooting Incident(s):	(1) 04-03-2001: Armed Suspect
Prior Founded Force Incidents:	[redacted]

<u>INVOLVED SUSPECT(s):</u>

Moore, Farris Lee, MB/24, Booking #1056808, DOB: 12-08-1983
[redacted]
Booking Charges: 243(e)(1) and 69 Penal Code
CII: [redacted] FBI#: [redacted] MAIN: [redacted]

Involved Suspect Criminal History:
[redacted]

> **<u>IAB Note:</u>** Refer to Exhibit A for a copy of Suspect Moore's criminal history report.

Wills, DeAnthony, MB/19, Booking #1056864, DOB: 12-12-1988
[redacted]
Booking Charges: 243(e)(1) and 69 Penal Code
CII: [redacted] FBI#: [redacted] MAIN: [redacted]

Involved Suspect Criminal History:

[redacted]

IAB Note: Refer to Exhibit A for a copy of Suspect Wills' criminal history report.

NON-DEPARTMENT WITNESSES:

1. [redacted] **FB/44,** D.O.B. [redacted]
2. [redacted] **FB/33,** D.O.B. [redacted]
3. [redacted] **MB/20,** D.O.B. [redacted]
4. [redacted] **FB/23,** D.O.B. [redacted]
5. [redacted] **MB/57,** D.O.B. [redacted]
6. [redacted] **FB/54,** D.O.B. [redacted]

INVOLVED EMPLOYEE STATEMENTS:

Deputy [redacted] **Employee #** [redacted] was interviewed on December 13, 2007, by Internal Affairs Sergeant Frank Quichocho. The interview took place at the Internal Affairs Bureau interview room. Deputy [redacted] was represented by the Office of Green & Shinee, with ALADS representative Deborah Schild. The interview was recorded for review and the following is a summary.

Deputy [redacted] said he and his [redacted] Deputy [redacted] responded to a "burglary now" call for service at a residence located at [redacted] East Claude Street, in the city of Carson. As they neared the location, the call was updated by the first patrol unit to arrive at the location, Deputy Daphne Terrell, Employee # [redacted] confirming a burglary did occur. A crime broadcast was initiated by Deputy Terrell providing a description of two male black suspects who were last seen headed toward the rear of the residence.

IAB Note: Refer to Exhibit D for a copy of the Deputy Daily Work Sheet and Incident Details for all units assigned to the call for service (CAS07317-0107: Tag #107).

Deputy [redacted] said he directed Deputy [redacted] to drive toward a nearby park which was adjacent to the rear of the residence, in search of the suspects which eventually met with negative results. He said they exited the park and drove by the location of the call for service and noticed about three patrol cars in front of the residence. They continued driving past the residence on Claude Street, when he noticed a male black (later identified as S/Moore) sitting on a bicycle matching the description as stated in the call in front of [redacted] East Claude Street. This was about eight to ten houses away from the burglary residence.

Deputy [redacted] said he told Deputy [redacted] to stop the patrol car in order to contact S/Moore, who he described as wearing an oversized shirt, one arm in a cast which held a cell phone, while the other hand was underneath his shirt by the waistband. Deputy [redacted] said the second hand was not visible to him and could not tell if S/Moore was armed or not.

When he approached S/Moore, Deputy [redacted] said he asked him they could talk. As he got closer, S/Moore said, "You get the fuck away from me, I don't like you guys, get the fuck away from me." Deputy [redacted] immediately felt the tension rise and his sense of awareness rose at this point. He believed S/Moore was now being resistive based on his behavior and demeanor.

Deputy [redacted] ordered S/Moore to get off the bike and to show his hands. S/Moore yelled, "If you fucking touch me, I'm gonna' fucking sue you guys." At this point, Deputy [redacted] stated S/Moore had not been searched and was concerned about weapons tucked underneath his shirt. Based on S/Moore's noncompliant behavior, Deputy [redacted] pointed his handgun at him and ordered him to get off the bicycle. S/Moore yelled at Deputy [redacted] saying, "Yeah go ahead and fucking shoot me" adding, "I've been stabbed, I've been shot at, I don't give a fuck." At that point, S/Moore attempted to distance himself, however, was cornered by both he and Deputy [redacted] preventing him from escaping.

Deputy [redacted] said Deputy [redacted] attempted to handcuff S/Moore, however, had a difficult time due to S/Moore's resistive and noncompliant behavior. Deputy [redacted] said S/Moore turned away from her as she struggled to get the handcuffs on him only succeeding in cuffing one arm. As S/Moore was being handcuffed, he continued to yell and scream incoherently about not going to jail and for neighbors to record what was happening. Deputy [redacted] said S/Moore did not listen to any of his commands to put his hands behind his back. Deputy [redacted] said he assisted Deputy [redacted] by pinning S/Moore's body up against a nearby car. He said S/Moore was struggling and fighting by using his elbows to swing back at them.

Deputy [redacted] said he requested assistance regarding an uncooperative suspect and was assisted by Deputy Milroy. He said S/Moore continued yelling, cursing and screaming incoherently as he attempted to spit on them. Due to S/Moore's behavior, Deputy [redacted] retrieved his OC spray and applied a dose into S/Moore's facial area. Deputy [redacted] recalled ordering S/Moore numerous times to stop spitting at them and to keep his head away from them as he was being handcuffed.

Deputy [redacted] said the OC spray was effective as it helped gain compliance from S/Moore. S/Moore was no longer yelling as they subsequently handcuffed the second arm and placed him into the patrol car. No other force was used against S/Moore.

Deputy [redacted] said while they were standing at the rear of the patrol car, he noticed a second male individual (later identified as S/Wills) standing next to the house they were at whom also matched the description of the suspect as indicated in the updated call for service. Although Deputy Milroy had initially contacted S/Wills, he believed S/Wills was involved in the burglary due to matching suspect descriptions in the updated call. He stated there were several updates in the call for service, and surmised Deputy Milroy probably did not get all the updates regarding suspect description and number of suspects involved in the burglary.

Deputy [redacted] said at the direction of Sergeant [redacted] they initiated contact with S/Wills. He said Deputy [redacted] was the first one to contact S/Wills by speaking to him about what was going on with the burglaries. Deputy [redacted] stated S/Wills became resistive right away and did not want to have anything to do with deputy personnel by backing up and waving his hands telling them to get away from him. S/Wills began yelling and cussing at them, although being reassured by both Deputy [redacted] and Sergeant [redacted] they were not accusing him of anything and only wanted to find out was going on. The situation was explained to S/Wills about the burglary incident in that he matched the description of the suspects.

Deputy [redacted] stated S/Wills walked away from them by stepping over a planter, at which time they formed a semicircle around him. He recalled Deputy [redacted] making physical contact with S/Wills, however, at some point, S/Wills attempted to place Deputy [redacted] in a headlock. Deputy [redacted] said he does not recall if Deputy [redacted] was placed in a complete headlock, but knew he was in a really bad position.

Deputy [redacted] said based on the situation, he tried to grab S/Wills' arm and pin it behind his back as S/Wills began to fight them. He stated S/Wills was fighting deputy personnel by swinging his arms at them and attempting to run away from them. Deputy [redacted] said to having all the deputies at hand helped to overpower S/Wills. He said he executed a leg sweep-take down motion against S/Wills who ended up on the ground. As S/Wills landed on the ground, he continued fighting by swinging wildly and kicking at deputies. S/Wills tried to get off the ground by pushing up against deputies who were pinning him down.

Deputy [redacted] stated he relinquished control of S/Wills' arm and grabbed his legs in a bear hug with both arms and held it tight as he tucked his head down to keep from getting kicked. He said he could hear deputies giving S/Wills verbal commands to stop fighting, and stop resisting and to place his hands behind his back. Deputy [redacted] said Sergeant [redacted] eventually gave S/Wills a contact taser shot to his leg, although he did not see it and only heard the taser go into effect. Once the taser contact shot took effect, S/Wills was handcuffed without further incident.

During follow-up questioning, Deputy [redacted] said their initial contact was with S/Moore. Once S/Moore knew he was going to be handcuffed, he did not want anything to do with deputy personnel and became resistive and uncooperative. S/Moore would not follow instructions as he shouted at them and yelled at neighbors to record the event, take pictures and video what was happening to him.

Deputy [redacted] said he wanted to end the situation quickly as more people came from behind him knowing he was outnumbered. He said about fifteen to twenty people came out of their homes and he needed to quickly handcuff S/Moore and place him into the backseat of their radio car.

Deputy [redacted] said officer safety factors included S/Moore possibly being a burglary suspect based on the call for service (description/attire), the oversized shirt he was wearing, the cast on his arm, and the other arm tucked underneath his shirt. From [redacted] Deputy [redacted] realized he needed to see S/Moore's hands as they are a factor in getting officers killed. He added S/Moore needed to be searched and his main objective at that point was to make sure he did not have any weapons on his person.

Deputy [redacted] stated S/Moore was trying to create distance between himself and them by dropping his bike and walking around it away from them. This tactic was defeated when Deputy [redacted] and [redacted] cornered him by using a parked vehicle as a tool to secure him from escaping. When Deputy [redacted] was having a difficult time handcuffing S/Moore due to his resistive behavior, Deputy [redacted] assisted her by using his body weight to pin S/Moore up against a parked vehicle. S/Moore's chest was up against the parked car.

Deputy [redacted] said S/Moore was spitting at them with his face toward the right shoulder when he applied OC spray. He said S/Moore knew he was going to get sprayed and began to turn his head around tucking it down and to the left. Deputy [redacted] said he followed S/Moore's face around with the OC spray. He said force used on S/Moore was a firm hand grip and OC spray.

Deputy [redacted] said after S/Moore was safely detained, his attention was drawn toward another individual (S/Wills) about one house away from them. He said S/Wills was linked with S/Moore based on the call for service, their matching suspect description and proximity to the crime. Deputy [redacted] stated they formulated a tactical plan along with Sergeant [redacted] in order to contact S/Wills regarding the burglary investigation.

Deputy [redacted] said they approached S/Wills in a semicircle, as Deputy [redacted] took the initiative by giving him verbal commands coupled with attempting to explain the situation and assure him of their intention to just speak to him about the burglary next door. At this time, S/Wills began to distance himself and appear to flee from them.

Deputy [redacted] described S/Wills' headlock on Deputy [redacted] as a reverse headlock, in that S/Wills was initially in front of him, however, managed to reach backward with his arm eventually

placing Deputy [redacted] at a disadvantage with a headlock.

Deputy [redacted] said the force he used on S/Wills was a firm hand grip/control hold, a leg sweep and take down. He said he did not witness other force used by deputy personnel.

Deputy [redacted] said he sustained a bruise to his right elbow and was medically treated at Long Beach Memorial Hospital. He also stated Deputy [redacted] sustained a knee injury consisting of soreness to his right knee. Deputy [redacted] was also treated at Long Beach Memorial Hospital.

Deputy [redacted] concluded that neither suspect(s) told him they were injured from the incident.

> **IAB Note:** For further details refer to copy of Deputy [redacted] transcribed audio-recorded interview.

Deputy [redacted] **Employee #** [redacted] was interviewed on December 13, 2007, by Internal Affairs Sergeants Frank Quichocho and Larry Landreth. The interview took place at the Internal Affairs Bureau interview room. Deputy [redacted] was represented by the Office of Green & Shinee, with ALADS representative Deborah Schild. The interview was recorded for review and the following is a summary.

Deputy [redacted] said he was the assigned Carson Sheriff's patrol unit, 163A, working with his [redacted] Deputy [redacted] Employee # [redacted] when they received a call for service regarding a burglary now call. He said he coordinated the call with assisting units in conjunction with an Aero unit. Since he was the third or fourth patrol unit to arrive, he took up a containment position at the rear of the residence until he was covered by another patrol unit. Deputy [redacted] said as he drove back toward Claude Street, he saw Deputy [redacted] detaining S/Moore at his patrol vehicle.

Deputy [redacted] said S/Moore was uncooperative, yelling, and struggling with Deputy [redacted] He stated S/Moore appeared to be handcuffed as he drove toward Deputy [redacted] location. When he exited his patrol car, Deputy [redacted] said he saw S/Moore being escorted by Deputy [redacted] into his patrol vehicle without incident.

Deputy [redacted] said he discussed the burglary call with Deputy [redacted] and Sergeant [redacted] stating they decided to detain S/Wills, who was also seen with S/Moore walking away from the burglary location. As they approached S/Wills, Deputy [redacted] contacted him by stating they needed to speak to him. Deputy [redacted] said S/Wills immediately became uncooperative stating he was not going to talk to them. S/Wills began cursing at Deputy [redacted] saying he did not have to speak to him and to get away from him. Sergeant [redacted] intervened by telling S/Wills to relax in that all they wanted to do was speak to him.

Deputy [redacted] said S/Wills also cursed and yelled at Sergeant [redacted] saying he was not speaking to them and was leaving the location. S/Wills then walked from the sidewalk and stepped

over a two-foot high unfinished wall into the front yard of the house ([redacted] East Claude Street). Deputy [redacted] grabbed S/Wills' shirt and pulled him back over to the sidewalk causing S/Wills to be positioned directly in front of him with his back toward him. He grabbed S/Wills' right arm in order to handcuff him due to his uncooperative behavior.

As Deputy [redacted] was attempting to handcuff S/Wills, he immediately pulled away and attempted to jab him with an elbow. S/Wills' jabbing movement with his elbow ended in his arm going around the back of Deputy [redacted] neck. Deputy [redacted] said as soon as S/Wills' arm got around his neck he was driven to the ground. At the time, Deputy [redacted] said he was unaware of Deputy [redacted] leg sweep/take down of S/Wills. He only felt S/Wills' arm around his neck and somehow felt that S/Wills was able to drag and drive him to the ground hard. Deputy [redacted] said he landed on both knees with his face to the ground. He immediately pulled away from S/Wills attempting to remove his arm from around his neck. He said S/Wills remained assaultive by pushing and turning around.

Deputy [redacted] said his main focus was to gain control of S/Wills' right arm and get it behind his back. He said he grabbed S/Wills' arm twice attempting to place it behind his back. Eventually, S/Wills became less assaultive and he was able to handcuff him with the assistance of deputy personnel. Deputy [redacted] said he did not know Sergeant [redacted] tased S/Wills until he was told after the incident.

Deputy [redacted] said S/Wills did not complain of pain and refused medical attention after the incident, however, paramedics were requested to respond to the scene.

During follow-up questioning, Deputy [redacted] said he handled the "burglary now" call as a priority indicating tactical consideration was given to coordinating responding units, containing the residence, and going to a tactical channel. He said a total of about six units assisted including a supervisor. He said when he drove from the rear of the target location, and saw Deputy [redacted] detaining S/Moore, he believed Deputy [redacted] was not aware they had switched over to a tactical channel because he did not hear his request for assistance regarding an uncooperative suspect. He said S/Moore was struggling with Deputy [redacted] in an uncooperative manner, therefore, decided to stop and assist.

Deputy [redacted] said he could not explain how S/Wills ended up placing him in a headlock. He said S/Wills was not much taller than him, but somehow got his right arm around his neck placing him in a headlock.

Deputy [redacted] said his knees hurt as a result of the altercation and was treated at the hospital. He said the next day he felt pain to his neck and back areas.

Deputy [redacted] said his use of force on S/Wills was a firm grip/control hold and resisted handcuffing. He said he did not witness force used by other deputy personnel.

IAB Note: For further details refer to a copy of Deputy Hernandez's transcribed audio-recorded interview.

Deputy [redacted] **Employee #** [redacted] was interviewed on December 13, 2007, by Internal Affairs Sergeant Frank Quichocho. The interview took place at the Internal Affairs Bureau interview room. Deputy [redacted] was represented by the Office of Green & Shinee, with ALADS representative Deborah Schild. The interview was recorded for review and the following is a summary.

Deputy [redacted] said she was responding to a burglary in progress call for service with her [redacted] Deputy [redacted] She said while driving to the location, she saw Deputy Milroy speaking to a guy on a bike (S/Wills) on Claude Street. About two houses further down she saw another gentleman (S/Moore) also seated on a bike. Deputy [redacted] said Deputy [redacted] told her to stop the patrol car so they can speak to S/Moore.

As Deputy [redacted] walked up to S/Moore asking to speak to him, S/Moore quickly began cursing them out. S/Moore told them he did not want to talk and to leave him alone. Deputy [redacted] explained S/Moore was sitting on his bike with his left hand inside his shirt, and his right-hand bound in a cast holding a cell phone. Deputy [redacted] continued to ask S/Moore to get off the phone so they could speak to him, however, S/Moore refused by cursing at them stating he did not want to talk to them. Deputy [redacted] said as Deputy [redacted] was asking S/Moore to come over and speak to them in addition to seeing his hands, she was simultaneously demonstrating to S/Moore her open hands. S/Moore continued refusing to comply with their commands, at which time, Deputy [redacted] drew his weapon ordering S/Moore to take his hands out and show them.

Deputy [redacted] said S/Moore still refused to show his hands as she walked over to him in an attempt to pull his hand out of his shirt. S/Moore jumped off his bike and threw it down. Deputy [redacted] said she was able to hold onto his left wrist in an attempt to put it into a rear wrist lock. As she was trying to handcuff him, S/Moore was pulling her toward a black SUV parked in the driveway. Deputy [redacted] was now ordering S/Moore to put his hands behind his back and was not complying with his commands. S/Moore continued to yell, and curse at them trying to pull his arm away from Deputy [redacted] Deputy [redacted] said she finally got one handcuff on S/Moore's left arm, as she was assisted by Deputy Milroy in handcuffing the right arm.

Deputy [redacted] said S/Moore was still fighting with them and cursing at them telling residents to record and photograph the incident. Deputy [redacted] said Deputy [redacted] ended up spraying S/Moore, who was subsequently escorted into their patrol vehicle still fighting and refusing to enter the patrol vehicle. S/Moore eventually complied and was seated in the rear of the patrol car.

Deputy [redacted] said her attention was drawn toward S/Wills when one of the deputies pointed him out as with S/Moore. She recalled walking up to S/Wills along with Deputies [redacted] and Sergeant [redacted] in order to speak to him about the burglary. Deputy [redacted] said both

Deputy [redacted] and Sergeant Wills spoke to S/Wills asking him to come toward them to discuss the burglary incident. She said S/Wills refused to comply and began cursing them out.

Deputy [redacted] said when S/Wills jumped onto a planter trying to get away from them, she grabbed him by the shirt. She saw Deputy [redacted] place his foot in front of S/Wills when they all fell down onto the ground at the same time. Deputy [redacted] said she landed on S/Wills' left side of the body and eventually placed her left knee in between his shoulder blades and small of the back. She added S/Wills was fighting the entire time by placing his hands underneath his body, pulling against them and trying to throw them off. Deputy [redacted] stated she heard Sergeant [redacted] telling S/Wills to stop kicking as she heard the taser go off. S/Wills was finally handcuffed and seated in a police vehicle awaiting paramedics.

During follow-up questioning, Deputy [redacted] said the force she used against S/Moore was a firm grip/control hold and resisted handcuffing. The force she used against S/Wills was a firm grip/control hold.

IAB Note: For further details refer to a copy of Deputy [redacted] transcribed audio-recorded interview.

Deputy [redacted] Employee #[redacted] was interviewed on December 13, 2007, by Internal Affairs Sergeants Frank Quichocho and Larry Landreth. The interview took place at the Internal Affairs Bureau interview room. Deputy [redacted] was represented by the Office of Green & Shinee, with ALADS representative Deborah Schild. The interview was recorded for review and the following is a summary.

Deputy [redacted] said he and his [redacted] Deputy [redacted] were dispatched to the 800 block of Claude Street, in the city of Carson regarding a "burglary now" call for service. As the handling unit, they coordinated the call and directed units to their assigned positions. He said it took them time to get to the location because it was at the north end of the city.

Upon arrival at the location they took a position of containment at the rear of the target location ([redacted] East Claude Street) as all the other containment positions were already filled in. Shortly afterward they were relieved by another patrol unit so they drove to the front of the residence. While driving they saw Deputies [redacted] and [redacted] dealing with a gentleman (S/Moore) who was in handcuffs. Deputy [redacted] said S/Moore was yelling as the deputies were trying to place him into the patrol vehicle. He said the deputies were not able to freely walk S/Moore into the patrol car because he was rigid, however, he eventually got into the radio car without incident. Deputy [redacted] said he could see S/Moore's face was sweaty, wet, and drooling while seated in the back seat of the patrol car.

Deputy [redacted] stated the call for service described two male blacks, one light skinned, wearing a red sweater, and the other, dark skinned, wearing a black shirt. He said the suspect (S/Moore) that

Deputies [redacted] and [redacted] were dealing with was dark skinned. Deputy [redacted] said Deputy [redacted] pointed out another individual (S/Wills) who was with S/Moore, who also physically matched the description of the call for service. At his time, they decided to speak to S/Wills regarding the burglary incident.

Deputy [redacted] said Deputy [redacted] took the lead in contacting S/Wills by asking him if they could speak to him. She heard S/Wills mumble something about already being contacted by deputy personnel. Deputy [redacted] said as they drew closer to S/Wills, he jumped over a little two-foot retaining wall located in front of the house. When Deputy [redacted] grabbed S/Wills, he immediately threw his arms and elbow up indicating he did not want to be handled. Deputy [redacted] said the situation became tense when S/Wills' arms and elbow went toward Deputy [redacted] face as he grabbed him and pulled him back over the fence. She said Deputy [redacted] was now standing on the left-hand side of S/Wills.

Deputy [redacted] said Deputies [redacted] and [redacted] were now attempting to control and handcuff S/Wills as he became resistive by yelling at them, throwing his hands up, and twisting his body. At some point during the fight, S/Wills placed his arm around Deputy [redacted] and they fell to the ground. He recalled Deputy [redacted] being at S/Wills' head, while Deputy [redacted] was at the leg area. He remembered S/Wills trying to get up off the ground as Deputy [redacted] gained control of his right hand and placed handcuffs on it. When S/Wills started to get up off the ground, Deputy [redacted] said he saw Sergeant [redacted] contact tase S/Wills twice on the lower leg area.

After S/Wills was tased, Deputy [redacted] said he was able to pull his left arm from underneath his body and handcuff it with the assistance of Deputy [redacted] S/Wills was then picked up and placed into the back seat of the radio car pending the arrival of the Fire Department.

Deputy [redacted] said he and Deputy Terrell escorted S/Wills to Little Company of Mary Hospital in Torrance, where he was diagnosed with a fractured right scapula.

Deputy [redacted] stated he did not use force against S/Wills due to the ease of placing handcuffs on him after he was tased.

<u>**IAB Note:**</u> For further details refer to a copy of Deputy [redacted] transcribed audio-recorded interview.

Deputy Kimberly Milroy, Employee #[redacted] was interviewed on January 16, 2008, by Internal Affairs Sergeant Frank Quichocho. The interview took place at the Internal Affairs Bureau interview room. Deputy Milroy was represented by the Office of Green & Shinee, with ALADS representative Deborah Schild. The interview was recorded for review and the following is a summary.

Deputy Milroy said she responded to a "burglary now" call, which was updated to a "burglary just occurred" while enroute to the location. She was one of the closer units to the location and responded code three (red lights and siren) to it. She said Deputies [redacted] and [redacted] were the handling units and heard them coordinating the call.

As Deputy Milroy neared the location, she saw two male blacks, one light-skinned and the other, a medium complexion riding bikes toward her. She stopped her patrol car and asked them to come to her. Deputy Milroy said S/Wills was more cooperative than S/Moore. S/Moore cursed at her stating, she already stopped him at a different location that day and continued riding his bike away from her. She said S/Moore stopped riding his bike and answered her questions, however, eventually rode away with S/Moore.

Deputy Milroy said she went after the suspects as they split up on Claude Street. She said she eventually detained S/Wills in front of his house located at [redacted] East Claude Street, while S/Moore continued riding his bike away from her. S/Wills was compliant with her as she asked him a few questions regarding the burglary. She also said S/Wills' [redacted] came out and they spoke about what was going on.

Deputy Milroy noticed Deputies [redacted] and [redacted] driving by her and motioned for them to head toward S/Moore, who was about a house away from her location. She saw the deputies contacting S/Moore, who began chirping away at them, giving them an attitude, getting loud and being hostile. As S/Moore got off his bike, she saw Deputy [redacted] draw his weapon and heard S/Moore yelling, "What are you gonna do, shoot me?"

At this point, Deputy Milroy left S/Wills and headed in the direction of Deputies [redacted] and [redacted] She stated a crowd began to gather around them as they began taking their cell phones out. Deputy Milroy said she helped both deputies by taking hold of S/Moore's arm as she was telling the crowd to back up. S/Moore was now agitated and spitting while he was talking to them. Deputy Milroy ordered S/Moore to shut up and be quiet as he continued to curse at them. She described S/Moore as so hyped up that he was spitting and drooling while he was talking to them.

Deputy Milroy said she was able to get S/Moore's hand behind his back and as she turned toward the crowd, she inhaled some pepper spray realizing S/Moore was just sprayed by Deputy [redacted] S/Moore was subsequently handcuffed and escorted into the patrol car. She said S/Moore initially stiffened up prior to being placed into the back seat of the radio car, however, Deputies [redacted] and [redacted] were able to get him in without incident. She stated she remained with S/Moore in an effort to speak to him about the incident.

Deputy Milroy said as she was speaking to S/Moore, she could see out of the corner of her eye, Deputy [redacted] approach toward S/Wills. As Deputy [redacted] reached for S/Wills' right shoulder, Deputy Milroy saw S/Wills swing back at Deputy [redacted] She said she saw a deputy in uniform and S/Wills falling forward, but did not see them hitting the ground.

Deputy Milroy said as she ran over to the incident, she saw S/Wills pushing up from the ground as Deputy [redacted] grabbed a hold of both his legs. She said S/Wills was doing the "kick worm" as in his body flopping as he was kicking his legs out. She added Deputy [redacted] was getting "bucked" as he "bear hugged" S/Wills' legs wrapping his arms and legs around the leg area. She also saw Deputies [redacted] and [redacted] on either side of S/Wills' body attempting to control his upper body shoulder/arm area.

During the encounter, Deputy Milroy recalled S/Wills' [redacted] ([redacted] MB/57, D.O.B.: [redacted]) telling S/Wills to stop resisting and cooperate with deputy personnel. She also heard Sergeant [redacted] also giving commands to S/Wills to stop fighting or he was going to be tased. Deputy Milroy said she was keeping Mr. [redacted] away from the fight at this point. She stated she did not see or hear Sergeant [redacted] apply the taser to S/Wills.

During follow-up questioning, Deputy Milroy said the only force she used was against S/Moore which was a control hold/firm grip when she held his hand up in an attempt to place handcuffs on him.

IAB Note: For further details refer to a copy of Deputy Milroy's transcribed audio-recorded interview.

Sergeant [redacted] Employee # [redacted] was interviewed on November 13, 2007, by Internal Affairs Sergeants Frank Quichocho and Larry Landreth. The interview took place at the Carson Sheriff's Station conference room. Sergeant [redacted] was given the opportunity to request representation, however, he declined. The interview was recorded for review and the following is a summary.

Sergeant [redacted] said a "burglary now" call went out to a residence at [redacted] East Claude Street, in the city of Carson. A code three response was authorized as he and a couple of units responded in acknowledgment. Upon arrival, he saw Deputy Terrell at the residence putting out a preliminary crime broadcast and decided to drive around the area in search of the suspects.

Sergeant [redacted] said when he drove around the corner, he saw Deputies Milroy, [redacted] and [redacted] detaining two guys on bicycles, who appeared to be cooperative as he drove past them. He decided to head back to the residence and assist Deputy Terrell, who was by herself in the event the location needed to be cleared and searched for the outstanding suspects. Sergeant [redacted] said additional patrol units arrived and cleared the residence. At the same time, he heard Deputy [redacted] asking for back up and told Deputy Terrell to remain at the target location while he assisted Deputy [redacted] He stated Deputy [redacted] was within eyesight of the target location about 200 yards or maybe fifteen houses away as he drove toward him.

Upon arrival, Sergeant [redacted] saw Deputy [redacted] struggling with S/Moore as he had him pinned against a parked vehicle. As he walked up to the incident, Sergeant [redacted] said he noticed

S/Moore was already handcuffed and sprayed with OC. S/Moore continued to display resistive behavior by struggling with deputy personnel and giving them a hard time as he was being placed into the back seat of the patrol car. Sergeant [redacted] said S/Moore refused to calm down so he activated the arc of his taser as a form of intimidation which caused S/Moore to comply without additional use of force. S/Moore reluctantly entered the back seat of the patrol vehicle without further incident.

Sergeant [redacted] said S/Wills now became their focus of attention as he was connected with S/Moore and the burglary investigation. He said their intention was to detain him also. He stated Deputies [redacted] and [redacted] accompanied him as they approached S/Wills, who was standing next to his [redacted] (W/ [redacted]).

As they walked up to S/Wills, Sergeant [redacted] said he heard W/ [redacted] advising S/Wills to cooperate with them. Sergeant [redacted] said he explained the situation to S/Wills, however, he immediately became defensive and began cursing at them. S/Wills said he did not have to talk to deputy personnel stating he was already spoken to. Sergeant McGee replied by ordering S/Wills to place his hands behind his back reiterating they were going to detain him real quick and find out what was going on with the burglary call.

Sergeant [redacted] stated Deputy [redacted] also gave a couple orders in a calm voice telling S/Wills to cooperate and that everything would be okay. At this time, S/Wills began to back up and appeared as if he was about to flee from them. Sergeant [redacted] said as soon as Deputy [redacted] grabbed S/Wills' left arm the fight was on. As S/Wills began struggling with Deputy [redacted] Sergeant [redacted] said he saw S/Wills grab his head with his left arm and wrestle with him. Sergeant [redacted] described S/Wills' motion as not necessarily being a headlock as in having an arm wrapped around Deputy [redacted] neck area, but around his head. He said Deputy [redacted] positioned himself at the right side of S/Wills' body by grabbing him and sweeping his legs. This movement caused all three of them to fall onto the ground simultaneously. Sergeant [redacted] said it was hard to explain the positions of how and where they all landed pointing out Deputy [redacted] was on top of Deputy [redacted] and S/Wills. He said the surface of the area where they landed consisted of concrete and dirt.

Sergeant [redacted] said S/Wills continued to fight deputy personnel by kicking violently and flailing his arms at them. S/Wills refused to comply with orders and commands to stop resisting, and to place his hands behind his back. Based on S/Wills' violent behavior, Sergeant [redacted] said he deployed his taser by removing the darts stating he did not have a good shot at S/Wills due to the close proximity of deputy personnel attempting to gain control of him. Sergeant [redacted] said he applied a direct contact taser shot against S/Wills' left inner thigh area for about two seconds. The taser took effect as S/Wills was subsequently handcuffed by Deputies [redacted] and [redacted] without further incident.

Sergeant [redacted] said his decision to deploy the taser was due to S/Wills' violent and high risk behavior articulating in order to prevent deputy personnel from being injured and/or having to use additional force, he believed a quick two or three second burst of the taser would get S/Wills' attention. He believed this would also calm him down preventing any further physical or permanent injury. Sergeant [redacted] said numerous orders and commands were given to S/Wills to stop resisting and place his hands behind his back.

Sergeant [redacted] said he told deputy personnel to request for paramedics to check both suspects as he returned to the burglary location in order to assist deputies in clearing the residence. When he returned, he canvassed the area and spoke to a couple of witness(s) regarding the incident. The witness(s) refused to be video taped, however, Sergeant Larry Thompson, Employee # [redacted] was present during the interviews.

> **IAB Note:** Refer to Exhibit A for a copy of Sergeant's [redacted] supplementary report for further details and refer to witness statements for a summary.

Sergeant [redacted] said S/Moore and S/Wills were initially detained by deputy personnel regarding the burglary call for service. He indicated both suspects fit the description as given in the call and based on the totality of the circumstances, deputy personnel had probable cause to detain them. Sergeant [redacted] stated a burglary did in fact occur at [redacted] East Claude Street, through forced entry via a bedroom window from the exterior and once inside forced entry into a bedroom door. He said items stolen from the residence included two laptops, and an iPOD. Sergeant [redacted] said the informant/witness of the burglary ([redacted] FB/16) could not positively identify S/Moore or S/Wills as the individuals who burglarized her home.

Sergeant [redacted] concluded by stating he believed deputy personnel were justified in their use of force and necessary under the circumstances.

> **IAB Note:** For further details refer to a copy of Sergeant [redacted] transcribed audio-recorded interview.

SUSPECT'S STATEMENTS:

Suspect Farris Moore was interviewed on November 13, 2007, at 1159 hours, by Internal Affairs Bureau Sergeants Frank Quichocho and Larry Landreth at Carson Sheriff's Station booking jail. The interview was audio-recorded and the following is a summary of the suspect's statements.

S/Moore said he and S/Wills were riding their bikes when they were stopped by Deputy Milroy and asked to step over to her patrol car. He said he didn't do anything, therefore, refused her order and continued riding away from her. S/Moore said he was not a criminal, and had no gun and no felonies so he ignored her order and rode with S/Wills to his home at [redacted]

S/Moore added since he did nothing wrong he had every right to keep his mouth shut.

As he was sitting on his bike a few houses away from S/Wills' home, S/Moore said he was approached by a male and female deputy, who told him to get off his bike. S/Moore said he told the officer he did not do anything and if he was touched he would call his lawyer. The deputy then pulled his gun and told S/Moore if he did not get off the bike, he was going to be shot. S/Moore said he complied and got off his bike, however, continued telling deputy personnel he did not have to speak to them and not to touch him. He said he began to turn around and walked away from them stating he had a broken thumb and they could not do anything.

S/Moore said the male deputy got really mad and pulled his gun out stating he was going to pump two slugs into him. S/Moore stated he became aggravated and stressed out because something was happening to him that should not have ever happened. He added he was mad and had words to say to the deputies. S/Moore said he verbally told deputies, "Fuck you, this is fucking wrong you ain't supposed to be doing this shit!" At this time, S/Moore said the deputy put away his gun and retrieved the mace. He said his hands were behind his back as he was up against a Range Rover.

S/Moore said he began to cuss as his arm was being held behind his back telling the deputy with the mustache his thumb was broken. He said he turned his face away as the mace was being sprayed all over his head. S/Moore said his head was sprayed because he was smart enough to quickly turn around when he saw the mace coming out. After he was maced, S/Moore said he was handcuffed and placed into the patrol car. He said he was not resisting arrest. He believes he was maced because he was verbally "just talking shit to them."

S/Moore said while seated in the patrol car, he complained of pain to his leg, back and hip from a prior injury. He also told deputies the handcuffs were too tight. When Fire Department personnel arrived, his handcuffs were loosened and extended. S/Moore said he was transported to the hospital and seen by a doctor.

At the hospital, S/Moore said the doctor told him his thumb was not re-broken just aggravated.

S/Moore stated his broken thumb was from a preexisting injury due to a slip and fall at Louisiana Chicken that occurred on October 15, 2007.

S/Moore said he did not witness the altercation between S/Wills and deputy personnel due to his exposure with OC spray.

<u>IAB Note:</u> On Page 11, Line 35 of S/Moore's transcript, he indicated a separate use of force which occurred while he was being booked at Carson Sheriff's Station on the day of the incident. The use of force was handled by the unit.

IAB Note: For further details refer to a copy of S/Moore's transcribed audio-recorded interview.

Suspect DeAnthony Wills was interviewed on November 13, 2007, at 1120 hours, by Internal Affairs Bureau Sergeants Frank Quichocho and Larry Landreth at Carson Sheriff's Station booking jail. The interview was audio-recorded and the following is a summary of the suspect's statements.

S/Wills said he was visiting his [redacted] ([redacted] FB/16, residing at [redacted]) when her house was burglarized while they were upstairs in her room. He said he looked out the window and saw somebody jumping over the fence into the nursery behind her house. Afterwards, he went outside and met his friend, Farris (S/Moore), and decided to go check out the nursery to see if anyone was over there. On their way back to [redacted] house, S/Wills said he saw about three police cars passing them. He recalled a female officer asked them if they saw anybody and they told her, "No" and continued riding their bicycles to his house at [redacted]

S/Wills said the female officer pulled up to his house and asked him again if he had seen anything. He replied he did not see anything, adding he was trying to help her. S/Wills stated S/Moore had an attitude by answering the female officer about them not being suspects. S/Wills recalled S/Moore walking away and to the side as he was detained by two additional officers. He said he heard the officers telling S/Moore to get off the cell phone as he complied by placing it into his pocket. He saw an officer pull S/Moore off his bike and pulled a gun on him. At this time, S/Wills said S/Moore went mad. He saw the officers detain him and place him into the police car.

S/Wills said he was speaking to his [redacted] ([redacted] MB/[redacted]) when he saw deputies huddle up and come toward him. As he stepped back into the yard with his [redacted] he was grabbed by one of the officers back over the brick wall. S/Wills said his left and right arms were grabbed by deputy personnel as he began asking why he was being detained.

S/Wills said his legs were kicked out from under him as he fell onto his face stating that is how he received a scratch on his face. He said he fell hard on his arm as he hit the ground stating both of his arms were secured by deputies from beginning to end. S/Wills said one of the officers tased him in the back of the leg. After the tasing, the officers completely stopped their actions.

During follow-up questioning, S/Wills said S/Moore had an attitude toward the officers because he felt he was not involved in the burglary and was being blamed for it. He said S/Moore was mad at the officers when they told him he was being placed under arrest because he matched the description of the suspect regarding the burglary. He added S/Moore was not physical or used force against the deputies only talked to them about why he was being arrested.

S/Wills said S/Moore was sprayed by all the deputies who were detaining him. He indicated S/Moore was handcuffed as he was being placed into the police car then he was sprayed. S/Wills

said he does not know what caused deputies to spray S/Moore since he was not fighting, only talking to them. He added S/Moore had a cast on his right hand due to a broken right thumb.

S/Wills said he noticed a field supervisor on scene (Sergeant [redacted]), which was the individual with the taser. He said right after S/Moore was detained, deputies huddled up with Sergeant [redacted] and came out to get him. S/Wills said about five deputies, including the Sergeant came toward him as he stood next to his [redacted] in his own front yard. As he stepped back over a low brick planter, he was grabbed by deputies who tried to pull him back over the brick planter. At this time, S/Wills said he was advised he was under arrest. During the encounter, S/Wills asked several questions about why he was being detained when he was eventually taken to the ground as his foot was kicked out from under him.

S/Wills said when he fell to the ground, he landed on his shoulder which is how he fractured it adding his face also got all messed up. He does not recall any of the deputies falling on top of him. S/Wills said while on the ground he was tased as he was being told to stop moving. He stated he could not stop moving due to his reaction to the taser. S/Wills said when he was on the ground, he was not kicking at the deputies only talking to them and believed that is the reason why he got tased. He said when he fell on the ground, he landed on his right shoulder as his face struck a tree stump. He said all five deputies were holding his arms and legs as he was being tased.

S/Wills said his [redacted] witnessed the incident along with about ten other neighbors in the area. He said some of them taped the incident on their cell phones.

S/Wills said his medical history includes being anemic, having a heart murmur condition, and a prior broken left arm from playing football.

S/Wills said as a result of the incident, he sustained a bump on the head, an abrasion to the right side of the cheek and pain to his right shoulder and arm.

> **IAB Note:** For further details refer to a copy of S/Will's transcribed audio-recorded interview.

NON-DEPARTMENT WITNESS STATEMENTS:

A canvass of the area where the force incident was conducted which included the following addresses: [redacted] Business cards were left at each location with a contact number. The following are statements from residents who were either home and from Sergeant [redacted] interviews.

[redacted] was interviewed on February 22, 2008, at 1210 hours, at her place of residence located at [redacted] The interview was conducted by Internal

Affairs Sergeants Frank Quichocho and Larry Landreth. The interview was audio-recorded and the following is a summary of the interview.

[redacted] said she did not witness the incident. She said she was not home during the incident involving S/Moore and S/Wills on November 13, 2007. She said the Sheriff's Department have been at the location which is [redacted] to her home at least a couple of times in the past regarding an individual named, [redacted] She described [redacted] as "late teens, maybe twenty, nineteen, twenty, somewhere around there, caramel colored, bald head, maybe about five-six, five-six, five-seven, weighing a hundred and sixty, yeah, hundred and sixty, hundred sixty-five pounds."

[redacted] concluded by stating the Sheriff's Department has been to the location numerous times regarding ongoing matters at the residence.

IAB Note: For further details refer to a copy of [redacted] transcribed audio-recorded interview.

[redacted] was interviewed on February 22, 2008, at 1257 hours, at her place of residence located at [redacted] The interview was conducted by Internal Affairs Sergeants Frank Quichocho and Larry Landreth. The interview was audio-recorded and the following is a summary of the interview.

[redacted] said she was driving home from the store when she saw two boys (S/Moore and S/Wills) on bicycles being detained by a lady police officer on Caldwell Street. She said she did not hear the conversation between them as the boys got back on their bikes and rode further down the street. The boys were once again stopped by the same lady police officer, when another police car arrived on the scene.

[redacted] said she and her [redacted] ([redacted]) walked across the street and watched the incident. She stated the boys were talking and arguing with the police, however, she did not see them spit at the officers. [redacted] agreed the boy (S/Moore) was in a heated argument, but did not see him spit at the officers. She explained S/Moore could have spit into the officers face by talking in his face describing how spit flies out of the mouths of angry people when speaking.

[redacted] said the police forcefully turned S/Moore around and slammed him up against a black truck parked in the yard. She said S/Moore's hands were behind his back as his chest was secured up against the vehicle when the police sprayed mace all over his face. She stated the police could have at least handcuffed S/Moore first prior to spraying mace on him. She said the police did not have to use excessive force and spray S/Moore directly in his eyes. [redacted] said if the police felt they were in danger they should have handcuffed S/Moore first indicating it would have secured the entire situation. She said the police took care of the situation the wrong way.

During follow-up questioning, [redacted] said S/Moore was facing the officers and arguing with them. When the officers got hold of his hands and placed it behind his back they also placed his chest up against the back of the truck. She said S/Moore was sprayed, as the police wrestled with him and then placed him into handcuffs. She heard S/Moore yelling about his leg hurting, however, did not see police officers striking him in the leg.

[redacted] said S/Wills was sitting on his bike when the police started questioning him. She did not hear any arguments, but saw three police officers jump on S/Wills and push him into the dirt. [redacted] said S/Wills may have been resisting arrest. She said all she witnessed were the police officers smashing S/Wills off the bike and putting him into the dirt. [redacted] said S/Wills did not use any excessive before he was pulled off the bike adding he was just snatched up from the bike and put in the dirt then handcuffed.

[redacted] concluded by stating she and [redacted] were about the length of a house just [redacted] of the entire incident.

IAB Note: For further details refer to a copy of [redacted] transcribed audio-recorded interview.

[redacted] was interviewed on February 22, 2008, at 1215 hours, at his place of residence located at [redacted] The interview was conducted by Internal Affairs Sergeants Frank Quichocho and Larry Landreth. The interview was audio-recorded and the following is a summary of the interview.

[redacted] said he was not home during the date of the incident. His friend [redacted] said he might have been home that day, but was not sure.

IAB Note: For further details refer to a copy of [redacted] transcribed audio-recorded interview.

[redacted] was telephonically audio-recorded on April 10, 2008, at about 0818 hours while she was at work. The phone call was made to her cell phone [redacted] The following is a summary of the interview.

[redacted] said she was visiting her [redacted] at [redacted] As she was parking her car, she noticed two boys riding their bikes toward her on Claude Street, who were stopped by a Sheriff's police lady. It appeared the police lady was asking the boys questions and the boys were responding something to the effect of, "I don't know, I didn't do anything." [redacted] said it appeared the police lady was arguing and fussing with the boys as the conversation was taking place. She said one of the boys took off, while one remained listening to the police lady, and eventually left the area.

[redacted] stated another police vehicle pulled up and told the boy (S/Moore) to get off the bike. She said a Hispanic Officer grabbed S/Moore off the bike and threw him against a car and peppered sprayed him in the face. [redacted] said S/Moore was not resisting arrest stating he was only fussing about his arm and hand which was in a cast. She said he did not pull away or run away from the police. [redacted] said she was about a house away from the incident with her [redacted] when she witnessed the confrontation. She said S/Moore was already handcuffed when the police pepper sprayed him.

[redacted] said S/Wills was sitting on a bike in his front yard when the police grabbed him and slammed him onto the ground. She said he was not resisting or mouthing off to the police. She added a whole lot of police were on top of him.

[redacted] stated she called the Carson Sheriff's Watch Commander to report the incident.

> **IAB Note:** For further details refer to a copy of [redacted] transcribed audio-recorded interview.

[redacted], was immediately interviewed at the location by Sergeant McGee. Sergeant McGee said [redacted] is S/Wills' [redacted] who was standing next to him during the confrontation with deputy personnel. Sergeant McGee said [redacted] did not want to be video recorded.

[redacted] told Sergeant [redacted] he saw deputy personnel making contact with his [redacted] friend, S/Moore, who was not cooperating and being verbally abusive toward them. [redacted] said deputies told S/Moore several times to cooperate, however, he would not listen to their commands. S/Moore eventually got off the bike when he was grabbed by a deputy and a struggle ensued. S/Moore was then pushed up against a parked car then escorted into the radio car. [redacted] said he did not see S/Moore being pepper sprayed. He also did not see deputy personnel punch, kick, hit or use any other force against S/Moore. [redacted] said he believed the deputies actions were justified against S/Moore.

[redacted] told Sergeant [redacted] when he saw deputies approaching his [redacted] S/Wills, he told him to cooperate by doing everything he was told to do and everything would be okay. [redacted] said he heard deputies asking S/Moore several times to place his hands behind his back, however, he refused. He said he saw a deputy grab S/Wills' arm as he tried to pull away. [redacted] said the next thing he recalled was S/Wills and two deputies falling to the ground. He said S/Wills was moving around on the ground, kicking and being uncooperative. [redacted] said he saw Sergeant [redacted] deploy a contact taser shot against S/Wills stating he believed the taser shot was unnecessary as there were enough deputies present to control his behavior. He said no additional force was used.

> **IAB Note:** For further details refer to a copy of Sergeant [redacted] supplementary report.

IAB efforts to contact [redacted] met with negative results during canvassing as the residence was vacant. Information received from [redacted] who is the [redacted] neighbor indicated [redacted] was evicted from the [redacted] residence shortly after the incident. Residents in the area could not provide contact information for [redacted]

[redacted] called the Carson Sheriff's Station Watch Commander line on November 13, 2007, at 1333 hours and spoke to Sergeant Dale Johnson, Employee # [redacted] regarding the use of force incident at [redacted] East Claude Street, in the city of Carson. [redacted] said deputies were talking to a gentleman about [redacted] from her residence ([redacted] when the individual started pushing and waving his hands at deputy personnel. She said deputies were reacting to the individual's actions. [redacted] said the individual became wilder and wilder as deputies grabbed him. She said the individual appeared to be resisting arrest and deputies were responding to it. [redacted] said she could not distinguish if the individual was the one who got sprayed or tased, however, indicated it was the one who fell on the ground and a deputy's knee was injured.

[redacted] concluded by stating deputy personnel did an outstanding job.

> **IAB Note:** For further details refer to a copy of [redacted] transcribed audio-recorded interview.

SUSPECT'S INJURIES:

Suspect Moore was transported to Little Company of Mary Hospital in Torrance, CA., for medical treatment. He complained of pain regarding his right hand and back left shoulder. His right thumb was broken from a preexisting injury six months ago which was bound in a cast prior to the incident. There was no fractures, broken bones or soft tissue swelling to the back left shoulder. S/Moore was treated by Dr. Robert Chavez, M.D. and released for booking.

> **IAB Note:** Refer to Exhibit F for a copy of S/Moore's medical records.

Suspect Wills was transported to Little Company of Mary Hospital in Torrance, CA., for medical treatment. He sustained a fracture to the right scapular and an abrasion to the right cheek area. He was treated by Dr. Robert Chavez, M.D. and released for booking.

> **IAB Note:** Refer to Exhibit F for a copy of S/Wills' medical records.

DEPUTY PERSONNEL:

Deputy [redacted] sustained a bruise to his right elbow and was medically treated at Long Beach Memorial Hospital.

Deputy [redacted] complained of pain to his knees, back and neck areas. He was medically treated at Long Beach Memorial Hospital.

PHYSICAL EVIDENCE:

None

INVESTIGATORS OBSERVATIONS:

None

WEAPONS USED BY DEPUTY PERSONNEL:

Personal weapons: Control Holds, Hands, Leg Sweep, and Take down and Taser.

WEAPONS USED BY SUSPECTS:

Personal weapons: Legs, arms, and body.

PROPERTY DAMAGE:

None

CRIMINAL INVESTIGATOR and CHARGES FILED:

Investigator:	Belen Wilkins, Employee #[redacted] Carson Sheriff's Station Detective Bureau
Court:	Compton Superior Court
Charges Filed:	DeAnthony Wills: (1) Felony count of 69 P.C., and (1) Misdemeanor count of 261.5 P.C. Farris Moore: (2) Felony counts of 69 P.C.

<u>IAB Note:</u> Follow-up investigation by Detective Wilkins revealed S/Wills committed Unlawful Sexual Intercourse in violation of PENAL CODE SECTION 261.5(b), a misdemeanor against [redacted] a minor. This incident occurred while S/Wills was with V/[redacted] during the alleged burglary incident at her home.

For further details refer to a copy of the complaint report and supplementary report under file #007-15771-1611-128.

WEATHER CONDITIONS AND LIGHTING CONDITIONS:

The incident occurred during the hours of daylight. The weather was warm and clear.